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#6  
BH  
5/9/02

May 7, 2002

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Commissioner for Patents  
Washington, D.C. 20231

Art Unit 1743

Re: U.S. Utility Patent Application  
Appl. No. 09/875,204; Filed: June 5, 2001  
For: **Apparatus and Method for Concurrent Chemical Synthesis**  
Inventors: Heyneker *et al.*  
Our Ref: 0942.5460003/LEA

RECEIVED  
MAY 8 2002  
TC 1700

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Revocation of Prior Power of Attorney and Appointment of New Attorneys of Record;
2. Certificate Under 37 C.F.R. § 3.73(b) (*with copies of assignments attached*); and
3. Return Postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents  
May 7, 2002  
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

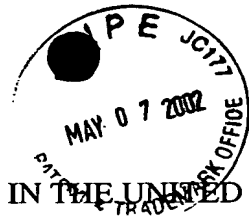
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Linda E. Alcorn*

Linda E. Alcorn  
Attorney for Applicants  
Registration No. 39,588

LEA:lma  
Enclosures

SKGF\_DC1:10307.1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Heyneker *et al.*

Appl. No. 09/875,204

Filed: June 5, 2001

For: **Apparatus and Method for  
Concurrent Chemical Synthesis**

Art Unit: 1743

Examiner: to be assigned

Atty. Docket: 0942.5460003/LEA

**Revocation of Prior Power of Attorney and Appointment of New  
Attorneys of Record**

Assistant Commissioner for Patents  
Washington, D.C. 20231

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MAY 8 2002

**TC 1700**

Sir:

The undersigned, having express authority to represent **Invitrogen Corporation**, the assignee of the entire right, title, and interest in the above-captioned application, by assignment filed at the U.S. Patent and Trademark Office on **March 29, 2002** (copy enclosed), hereby revokes all powers of attorney heretofore given in the above-captioned application and appoints as his attorneys the attorneys associated with Customer Number 28393; those attorneys currently being: Robert Greene Sterne, Esq., Registration No. 28,912; Edward J. Kessler, Esq., Registration No. 25,688; Jorge A. Goldstein, Esq., Registration No. 29,021; Samuel L. Fox, Esq., Registration No. 30,353; David K.S. Cornwell, Esq., Registration No. 31,944; Robert W. Esmond, Esq., Registration No. 32,893; Tracy-Gene G. Durkin, Esq., Registration No. 32,831; Michele A. Cimbala, Esq., Registration No. 33,851; Michael B. Ray, Esq., Registration No. 33,997; Robert E. Sokohl, Esq., Registration No. 36,013; Eric K. Steffe, Esq., Registration No. 36,688; Michael Q. Lee, Esq., Registration No. 35,239; Steven R. Ludwig, Esq., Registration No. 36,203; John M. Covert, Esq., Registration No. 38,759; Linda E. Alcorn, Esq., Registration No. 39,588;

Lawrence B. Bugaisky, Esq., Registration No. 35,086; Donald J. Featherstone, Esq., Registration No. 33,876; and Robert C. Millonig, Esq., Registration No. 34,395, with full power of substitution, association, and revocation, to prosecute said application and to transact all business in the United States Patent and Trademark Office connected therewith.

The undersigned hereby grants said attorneys the power to insert on this Power of Attorney any further identification that may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office.

Send all correspondence to:

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934.

Direct telephone calls to (202) 371-2600.

On behalf of **Invitrogen Corporation**:

FOR: Invitrogen Corporation

SIGNATURE: \_\_\_\_\_



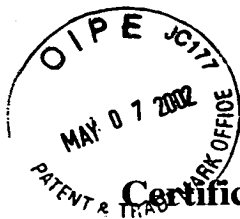
BY: \_\_\_\_\_

Alan W. Hammond

TITLE: Chief Intellectual Property Counsel

DATE: \_\_\_\_\_

4/17/2002



# Certificate Under 37 C.F.R. § 3.73(b)

Applicant: Heyneker et al.

Application No.: 09/875,204

Filed: June 5, 2001

Entitled: Apparatus and Method for Concurrent Chemical Synthesis

Invitrogen Corporation

(Name of Assignee)

, a Corporation

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

- A. ☐ An Assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: Heyneker et al. To: Eos Biotechnology, Inc.  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: Eos Biotechnology, Inc. To: Invitrogen Corporation  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

**[NOTE:** A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Date: 4/17/2002

Name: Alan W. Hammond

Title: Chief Intellectual Property Counsel

Signature: Alan Hammond

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MAY 8 2002

TC 1700

DO NOT FORWARD  
TO ASSIGNMENT BRANCH  
NOT FOR RECORDATION

### PATENT ASSIGNMENT

This Patent Assignment is made on this 26<sup>th</sup> day of March, 2001 from Eos Biotechnology, Inc., a Delaware corporation (the "Assignor") with its principal place of business at 225A Gateway Boulevard, South San Francisco, CA 94080, to Invitrogen Corporation, a Delaware corporation (the "Assignee") with a place of business at 1600 Faraday Avenue, Carlsbad, California 92008 (collectively, the "Parties").

WHEREAS, the Assignor is the sole owner of the patent rights listed in Schedule A attached hereto (the "Patent"); and

WHEREAS, pursuant to the Agreement for Purchase and Sale of Assets executed between the Parties and WebOligos.com of even date herewith (the "Agreement"), the Assignor has agreed to sell, assign, transfer, deliver and contribute, immediately prior to the Closing (as defined in the Agreement) all rights to the Patent to the Assignee and the Assignee has agreed to acquire, accept and receive all rights to the Patent from the Assignor.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor does hereby assign unto the Assignee the entire right, title and interest in and to the Patent and any divisions, reissues, continuations and extensions thereof, together with the inventions described therein, and any extensions, reissues, substitutes, divisions, renewals, continuations, and continuations-in-part thereof (the "Rights") in the United States and all foreign countries, the Rights to be held and enjoyed by the Assignee, for its own use and benefit and for the use and benefit of its successors, assigns or other legal representatives, as fully and entirely as the same would have been held and enjoyed by the Assignor if this assignment and sale had not been made.

The Assignor hereby authorizes and requests the United States Commissioner of Patents and Trademarks to record this assignment upon the records of the United States Patent and Trademark Office.

The Assignor hereby covenants that it has full right to convey the entire interest herein assigned and that it has not executed, and will not execute, any agreement in conflict herewith.

The Assignor further covenants and agrees that it will upon request, without further or additional consideration execute and deliver any and all papers that may be necessary on the part of the Assignor to perfect title to the Patents in and to the Assignee, its successors, assigns or legal representatives.

The Assignor further covenants and agrees that it will upon request and without further expense of the Assignee, communicate to the Assignee, its successors, assigns and legal

Act

representatives any facts relating to the Patent, or to the histories thereof known to it, and provide to Assignee copies of all file histories available to Assignor.

IN WITNESS WHEREOF, the Assignor has executed this Patent Assignment as of the date first written above.

*David W. Martin, Jr.*  
EOS BIOTECHNOLOGY, INC.

David W. Martin, Jr. M.D.  
President and Chief Executive Officer

State of California

: SS

County of San Mateo

On this 21 day of March, 2001, before me personally appeared David W. Martin, Jr., M.D., who being duly sworn, did acknowledge that he is the President and Chief Executive Officer of Eos Biotechnology, Inc., a Delaware corporation, and whose name is subscribed to the foregoing instrument, and that he as such, being authorized so to do, executed the foregoing instrument on behalf of Eos Biotechnology, Inc. for the purposes therein set forth and intending that the foregoing instrument be recorded.

(SEAL)

*Beth Calvin*  
Notary Public



My Commission Expires: 8/15/2003

Schedule A

APPLICATION NUMBER	TITLE	INVENTORS	FILING DATE
US 09/315363	Apparatus and Method for Concurrent Chemical Synthesis	Heyneker, et al.	May 18, 1999
PCT/US99/30179	Apparatus and Method for Concurrent Chemical Analysis	Heyneker, et al.	December 17, 1999

ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, Herbert L. Heyneker, of 2244 Steiner Street, San Francisco, CA 94115, NL, Kim D. Ha, of 5540 Bollinger Road, San Jose, CA 95129, US, David K. Steinmiller, of 3737 Middlefield Rd., Palo Alto, CA 94303, US, Victor Simonyi, of 2342 Shattuck Avenue #306, Berkeley, CA 94704, US, hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: APPARATUS AND  
METHOD FOR CONCURRENT  
CHEMICAL SYNTHESIS

Filing Date: Herewith

Application No.: \_\_\_\_\_; and

WHEREAS, Eos Biotechnology, Inc., located at 225A Gateway Boulevard, South San Francisco, CA, 94080, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: May 12, 1999

Herbert L. Heyneker  
Herbert L. Heyneker

STATE OF CALIFORNIA )

ss.

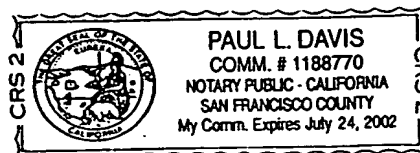
COUNTY OF SAN MATEO )

On 5/12/99, before me, PAUL L. DAVIS, personally appeared Herbert L. Heyneker, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Paul L. Davis  
NOTARY PUBLIC

My Commission Expires: 7/24/02



Dated: 5/12/99

Kim D. Ha  
Kim D. Ha

STATE OF CALIFORNIA )  
 )  
COUNTY OF SAN MATEO ) ss.

On 5/12/99, before me, Paul L Davis, personally or per appeared Kim D. Ha, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Paul L Davis  
NOTARY PUBLIC

My Commission Expires: 7/24/02

Dated: May 12, 1999

David K. Steinmiller  
David K. Steinmiller

STATE OF CALIFORNIA )  
 )  
COUNTY OF SAN MATEO ) ss.

On 5/12/99, before me, Paul L Davis, personally appeared David K. Steinmiller, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

Paul L Davis  
NOTARY PUBLIC

My Commission Expires: 7/24/02

Dated: \_\_\_\_\_

\_\_\_\_\_  
Victor Simonyi

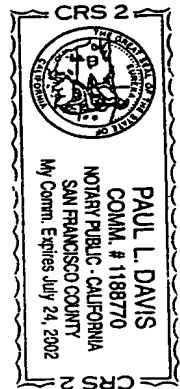
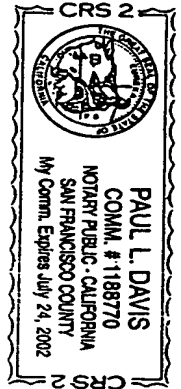
STATE OF CALIFORNIA )  
 )  
COUNTY OF \_\_\_\_\_ ) ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Victor Simonyi, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_



Dated: \_\_\_\_\_

Kim D. Ha

STATE OF CALIFORNIA )  
 )  
COUNTY OF )

ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Kim D. Ha, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

Dated: \_\_\_\_\_

David K. Steinmiller

STATE OF CALIFORNIA )  
 )  
COUNTY OF )

ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared David K. Steinmiller, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

Dated: 3-8-99 <sup>VS</sup> 4-9-99

Victor Simonyi  
Victor Simonyi

STATE OF CALIFORNIA )  
 )  
COUNTY OF Alameda )

ss.

On April 9, 1999, before me, Jonathan M. Burns <sup>(notary)</sup>, personally appeared Victor Simonyi, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: April 3, 2004  
SF 199908 v1

